

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY
Plaintiff

v.

ADP MARSHALL, INC., a FLUOR DANIEL
COMPANY and FIREMAN'S FUND
INSURANCE COMPANY
Defendants

v.

ALLIED CONSULTING ENGINEERING
SERVICES, INC., ANDOVER CONTROLS
CORPORATION, R&R WINDOW
CONTRACTORS, INC., and DELTA
KEYSPAN, INC. n/k/a DELTA
KEYSPAN, LLC, MADDISON
ASSOCIATES, INC., UNITED STATES
FIDELITY AND GUARANTY COMPANY
FIDELITY AND DEPOSIT OF MARYLAND
NATIONAL GRANGE MUTUAL
INSURANCE COMPANY, TRAVELERS
CASUALTY AND SURETY COMPANY OF
AMERICA, AMERICAN HOME
ASSURANCE COMPANY, HARTFORD
ROOFING COMPANY, INC. and
SPAGNOLO/GISNESS & ASSOCIATES,
INC.

Third-Party Defendants

C.A. NO. 04-CV-10203 PBS

**ASSENTED TO MOTION TO ENLARGE TIME FOR THIRD-PARTY
DEFENDANT DELTA KEYSpan, INC. TO RESPOND TO MOTION FOR
SUMMARY JUDGMENT OF DEFENDANT/THIRD-PARTY PLAINTIFF ADP
MARSHALL, INC.**

Third-Party Defendant Delta Keyspan, Inc. ("Delta"), herein moves this
Court for an Order allowing an extension of time, up to and including January 21,

2005, in which to respond to the Motion for Summary Judgment filed by Defendant/Third-Party Plaintiff, ADP Marshall, Inc. (hereinafter "Marshall"). As grounds therefore, Delta states as follows:

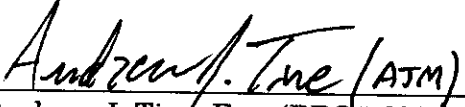
1. On or about November 30, 2004, Marshall filed a Motion for Summary Judgment on its Third-Party Complaint Against Delta.
2. Pursuant to the Court's Second Scheduling Order, oppositions to motions for summary judgment are due January 7, 2005.
4. Upon request, counsel to Marshall has given his consent to the within motion for an extension of time, up to and including January 21, 2005, for Delta to respond to Marshall's Motion for Summary Judgment.
5. This two week extension of time will not prejudice any party as other parties have already received extensions of time in which to oppose Marshall's Motions for Summary Judgment.

Wherefore, Delta requests that this Court grant its motion and issue an Order enlarging the time for Delta to respond to Marshall's Motion for Summary Judgment to January 21, 2005.

ASSENTED TO:

ADP MARSHALL, INC.,

By its Attorneys



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RESPECTFULLY SUBMITTED:

DELTA KEYSpan, INC.,

By its attorneys,



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Tel. (617) 236-1900

DATED: 1/6/05

DATED: 1/6/05

CERTIFICATION

I hereby certify that I have mailed a copy of the within first class mail, postage prepaid on 6th day of January, 2005 to the following:

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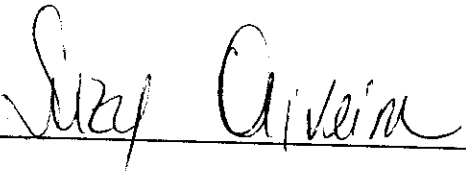
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